

# **JOURNAL OF THE HOUSE**

## **NINETIETH SESSION**

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SIXTEENTH DAY

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STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Thursday, February 5, 2015

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Dan Bader, followed by the Pledge of Allegiance led by House page Taylor Faw.

Roll Call: All members present except Reps. Heinemann, Schoenbeck, and Verchio who were excused.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the fifteenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Dean Wink, Chair

Which motion prevailed.

## REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on Health and Human Services respectfully reports that it has had under consideration HB 1089 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,  
Scott Munsterman, Chair

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration SB 19, 20, and 21 and returns the same with the recommendation that said bills do pass and be placed on the consent calendar.

Also MR. SPEAKER:

The Committee on Taxation respectfully reports that it has had under consideration HB 1115 and 1193 which were deferred to the 41<sup>st</sup> Legislative Day.

Respectfully submitted,  
Roger D. Solum, Chair

Also MR. SPEAKER:

The Committee on Transportation respectfully reports that it has had under consideration HB 1113 and returns the same with the recommendation that said bill do pass.

Respectfully submitted,  
Mary Duvall, Vice Chair

Also MR. SPEAKER:

The Committee on Local Government respectfully reports that it has had under consideration HB 1122 and returns the same with the recommendation that said bill do pass.

1 Also MR. SPEAKER:

2 The Committee on Local Government respectfully reports that it has had under  
3 consideration HB 1121, 1135, and 1136 and returns the same with the recommendation that said  
4 bills do pass and be placed on the consent calendar.

5 Respectfully submitted,  
6 Kristin A. Conzet, Chair

7 **MESSAGES FROM THE SENATE**

8 MR. SPEAKER:

9 I have the honor to return herewith HB 1014, 1061, 1062, and 1065 which have passed the  
10 Senate without change.

11 Also MR. SPEAKER:

12 I have the honor to transmit herewith SB 17, 27, 67, 69, 77, 93, 113, and 153 which have  
13 passed the Senate and your favorable consideration is respectfully requested.

14 Respectfully,  
15 Kay Johnson, Secretary

16 **MOTIONS AND RESOLUTIONS**

17 Rep. Rounds moved that the House do concur in Senate amendments to HB 1026.

18 The question being on Rep. Rounds' motion that the House do concur in Senate  
19 amendments to HB 1026.

20 And the roll being called:

21 Yeas 67, Nays 0, Excused 3, Absent 0

1 Yeas:

2 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
3 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
4 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
5 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;  
6 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;  
7 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
8 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;  
9 Speaker Wink

10 Excused:

11 Heinemann (Leslie); Schoenbeck; Verchio

12 So the motion having received an affirmative vote of a majority of the members-elect, the  
13 Speaker declared the motion carried and the amendments were concurred in.

14 Rep. Gosch moved that HB 1161 be referred from the Committee on Education to the  
15 Committee on State Affairs.

16 Which motion prevailed.

17 Rep. Gosch moved that when we adjourn today, we adjourn to convene at 1:00 p.m. on  
18 Friday, February 6, the 17<sup>th</sup> legislative day.

19 Which motion prevailed.

20 **CONSIDERATION OF REPORTS OF COMMITTEES**

21 Rep. Gosch moved that the report of the Standing Committee on

22 Judiciary on HB 1129 as found on page 281 of the House Journal be adopted.

23 Which motion prevailed.

24 **FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS**

25 SB 17: FOR AN ACT ENTITLED, An Act to revise the definition of motor vehicles that  
26 are subject to the lemon law.

27 Was read the first time and referred to the Committee on Judiciary.

1 SB 27: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to contract  
2 for the replacement of the plant science research support facility on the campus of South Dakota  
3 State University and to make an appropriation therefor.

4 Was read the first time and referred to the Committee on Appropriations.

5 SB 67: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
6 challenges to certain election petition signatures.

7 Was read the first time and referred to the Committee on State Affairs.

8 SB 69: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding elections  
9 and election petitions.

10 Was read the first time and referred to the Committee on State Affairs.

11 SB 77: FOR AN ACT ENTITLED, An Act to allow nursing mothers to breastfeed in  
12 certain locations.

13 Was read the first time and referred to the Committee on Health and Human Services.

14 SB 93: FOR AN ACT ENTITLED, An Act to impose a gross receipts tax on the rental of  
15 certain motorcycles in lieu of the excise tax on motor vehicles.

16 Was read the first time and referred to the Committee on Taxation.

17 SB 113: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
18 fiscal impact statements prepared for legislation that impacts state prison or county jail  
19 populations.

20 Was read the first time and referred to the Committee on State Affairs.

21 SB 153: FOR AN ACT ENTITLED, An Act to repeal the South Dakota certified site and  
22 technology park programs.

23 Was read the first time and referred to the Committee on Education.

1                   **SECOND READING OF CONSENT CALENDAR ITEMS**

2           Rep. Russell requested that HB 1145 be removed from the Consent Calendar.

3           Which request was granted.

4           Rep. Russell requested that HB 1149 be removed from the Consent Calendar.

5           Which request was granted.

6           HB 1151: FOR AN ACT ENTITLED, An Act to improve public safety through  
7 confidential stress management services for emergency service providers.

8           Was read the second time.

9           The question being "Shall HB 1151 pass as amended?"

10          And the roll being called:

11          Yeas 67, Nays 0, Excused 3, Absent 0

12          Yeas:

13 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
14 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
15 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
16 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;  
17 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;  
18 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
19 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;  
20 Speaker Wink

21          Excused:

22 Heinemann (Leslie); Schoenbeck; Verchio

23          So the bill having received an affirmative vote of a majority of the members-elect, the  
24 Speaker declared the bill passed and the title was agreed to.

25          HB 1132: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
26 titling of motor vehicles, boats, mobile homes, and manufactured homes and the issuance of  
27 temporary permits by licensed dealers.

28          Was read the second time.

1 The question being "Shall HB 1132 pass?"

2 And the roll being called:

3 Yeas 67, Nays 0, Excused 3, Absent 0

4 Yeas:

5 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
6 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
7 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
8 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;  
9 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;  
10 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
11 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;  
12 Speaker Wink

13 Excused:

14 Heinemann (Leslie); Schoenbeck; Verchio

15 So the bill having received an affirmative vote of a majority of the members-elect, the  
16 Speaker declared the bill passed and the title was agreed to.

17 SB 12: FOR AN ACT ENTITLED, An Act to allow the spouse of an active duty military  
18 person to qualify as a resident for a temporary permit to carry a concealed pistol.

19 Was read the second time.

20 The question being "Shall SB 12 pass?"

21 And the roll being called:

22 Yeas 67, Nays 0, Excused 3, Absent 0

23 Yeas:

24 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
25 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
26 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
27 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;  
28 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;  
29 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
30 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;  
31 Speaker Wink

32 Excused:

33 Heinemann (Leslie); Schoenbeck; Verchio





1 Section 6. That chapter 23-7 be amended by adding thereto a NEW SECTION to read as  
2 follows:

3 Each seller of firearms in South Dakota shall query the system created in section 5 of this  
4 Act before making any sale of a firearm to any holder of a South Dakota permit to carry a  
5 concealed pistol. If the query returns a valid result, the sale may proceed. If the query returns  
6 a not valid result, the sale may not proceed. If a prospective purchaser disputes a not valid result,  
7 the purchaser may request the seller to complete an inquiry of the National Instant Criminal  
8 Background Check System. If the National Instant Criminal Background Check System does  
9 not prohibit the sale, the sale may proceed. A prospective purchaser may also contact the  
10 sheriff's office that issued the permit regarding a not valid result. A seller may retain records of  
11 completed queries to verify compliance with the requirements of this Act.

12 Section 7. This Act is effective on January 1, 2016."

13 Which motion lost.

14 The question being "Shall HB 1096 pass as amended?"

15 And the roll being called:

16 Yeas 52, Nays 15, Excused 3, Absent 0

17 Yeas:

18 Anderson; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto; Duvall;  
19 Feickert; Gosch; Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Hickey; Hunhoff  
20 (Jean); Hunt; Johns; Kaiser; Klumb; Langer; Latterell; Marty; May; Mickelson; Munsterman;  
21 Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen; Romkema;  
22 Rounds; Rozum; Russell; Schaefer; Schoenfish; Sly; Solum; Stalzer; Stevens; Tulson; Werner;  
23 Westra; Wiik; Wollmann; Zikmund; Speaker Wink

24 Nays:

25 Bartling; Bordeaux; Dryden; Gibson; Hawks; Hawley; Holmes; Jensen (Alex); Killer;  
26 Kirschman; McCleerey; Ring; Schrempp; Soli; Willadsen

27 Excused:

28 Heinemann (Leslie); Schoenbeck; Verchio

29 So the bill having received an affirmative vote of a majority of the members-elect, the  
30 Speaker declared the bill passed and the title was agreed to.

31 Rep. Gosch moved that HB 1080 be deferred to Friday, February 6, the 17<sup>th</sup> legislative day.

32 Which motion prevailed.

1 HB 1083: FOR AN ACT ENTITLED, An Act to require reimbursement to certain entities  
2 for fire suppression and extinguishment costs.

3 Was read the second time.

4 1083cc

5 Rep. Mickelson moved that HB 1083 be amended as follows:

6 On page 1, line 6, of the House Judiciary Committee engrossed bill, delete everything after  
7 "34-35".

8 On page 1, line 7, delete "protection".

9 Which motion prevailed.

10 The question being "Shall HB 1083 pass as amended?"

11 And the roll being called:

12 Yeas 56, Nays 11, Excused 3, Absent 0

13 Yeas:

14 Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Cronin; Deutsch; DiSanto;  
15 Dryden; Duvall; Feickert; Gibson; Gosch; Harrison; Hawks; Hawley; Hickey; Holmes; Hunhoff  
16 (Jean); Hunt; Jensen (Alex); Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty;  
17 May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Partridge; Peterson (Kent); Ring;  
18 Romkema; Rounds; Rozum; Russell; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Stevens;  
19 Tulson; Werner; Westra; Wiik; Zikmund; Speaker Wink

20 Nays:

21 Anderson; Craig; Greenfield (Lana); Haggard (Don); Haugaard; Otten (Herman); Qualm;  
22 Rasmussen; Schaefer; Willadsen; Wollmann

23 Excused:

24 Heinemann (Leslie); Schoenbeck; Verchio

25 So the bill having received an affirmative vote of a majority of the members-elect, the  
26 Speaker declared the bill passed and the title was agreed to.

27 HB 1124: FOR AN ACT ENTITLED, An Act to authorize motor vehicles to exceed the  
28 posted speed limit under certain conditions.

29 Was read the second time.

1 The question being "Shall HB 1124 pass as amended?"

2 And the roll being called:

3 Yeas 66, Nays 1, Excused 3, Absent 0

4 Yeas:

5 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
6 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggar (Don);  
7 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
8 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;  
9 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;  
10 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
11 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Wollmann; Zikmund; Speaker  
12 Wink

13 Nays:

14 Willadsen

15 Excused:

16 Heinemann (Leslie); Schoenbeck; Verchio

17 So the bill having received an affirmative vote of a majority of the members-elect, the  
18 Speaker declared the bill passed and the title was agreed to.

19 HB 1130: FOR AN ACT ENTITLED, An Act to prohibit an abortion provider from  
20 accepting payment for an abortion prior to the end of the required informed consent period.

21 Was read the second time.

22 The question being "Shall HB 1130 pass?"

23 And the roll being called:

24 Yeas 63, Nays 4, Excused 3, Absent 0

25 Yeas:

26 Anderson; Bartling; Beal; Bolin; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto;  
27 Dryden; Duvall; Feickert; Gosch; Greenfield (Lana); Haggar (Don); Harrison; Haugaard;  
28 Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Kaiser; Kirschman;  
29 Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson; Munsterman; Novstrup (Al);  
30 Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen; Ring; Romkema; Rounds;  
31 Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Stevens; Tulson;  
32 Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

33 Nays:

34 Bordeaux; Gibson; Hawks; Killer

1 Excused:

2 Heinemann (Leslie); Schoenbeck; Verchio

3 So the bill having received an affirmative vote of a majority of the members-elect, the  
4 Speaker declared the bill passed and the title was agreed to.

5 HB 1102: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
6 regulation of licensing massage therapists.

7 Was read the second time.

8 The question being "Shall HB 1102 pass as amended?"

9 And the roll being called:

10 Yeas 67, Nays 0, Excused 3, Absent 0

11 Yeas:

12 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
13 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Haggard (Don);  
14 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
15 Johns; Kaiser; Killer; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey;  
16 Mickelson; Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm;  
17 Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly;  
18 Soli; Solum; Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund;  
19 Speaker Wink

20 Excused:

21 Heinemann (Leslie); Schoenbeck; Verchio

22 So the bill having received an affirmative vote of a majority of the members-elect, the  
23 Speaker declared the bill passed and the title was agreed to.

24 HB 1138: FOR AN ACT ENTITLED, An Act to revise the penalty for the failure to wear  
25 a properly adjusted and fastened safety seat belt system in a passenger vehicle.

26 Was read the second time.

27 1138fa

28 Rep. Werner moved that HB 1138 be amended as follows:

29 On page 1, after line 7 of the printed bill, insert:

30 " Section 2. That § 32-37-1 be amended to read as follows:

32-37-1. Any operator of any passenger vehicle transporting a child under five years of age on the streets and highways of this state shall properly secure the child in a child passenger restraint system according to its manufacturer's instructions. The child passenger restraint system shall meet Department of Transportation Motor Vehicle Safety Standard 213 as in effect January 1, 1981. The requirements of this section are met if the child is under five years of age and is at least forty pounds in weight by securing the child in a seat belt. An operator who violates this section commits a petty offense with a fine of fifty dollars.

Section 3. That § 32-37-1.1 be amended to read as follows:

32-37-1.1. Any operator of a passenger vehicle operated on a public street or highway in this state transporting a passenger who is at least five and under eighteen years of age shall assure that the passenger is wearing a properly adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this section is a petty offense with a fine of fifty dollars.

Section 4. That § 32-37-1.2 be amended to read as follows:

32-37-1.2. Any operator of any passenger vehicle operated on a public street or highway in this state, who is at least fourteen years of age and under eighteen years of age, shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this section is a petty offense with a fine of fifty dollars.

Section 5. That § 32-37-1.3 be amended to read as follows:

32-37-1.3. Any passenger of any passenger vehicle operated on a public street or highway in this state, who is at least fourteen years of age and under eighteen years of age, shall wear a properly adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this section is a petty offense with a fine of fifty dollars."

Which motion prevailed.

The question being "Shall HB 1138 pass as amended?"

And the roll being called:

Yeas 22, Nays 45, Excused 3, Absent 0

Yeas:

Anderson; Bolin; Haggard (Don); Hawks; Hawley; Holmes; Hunt; Kirschman; Latterell; Mickelson; Munsterman; Rasmussen; Ring; Rounds; Rozum; Schaefer; Schoenfish; Soli; Stevens; Werner; Willadsen; Zikmund

1 Nays:

2 Bartling; Beal; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto;  
3 Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Harrison; Haugaard; Hickey;  
4 Hunhoff (Jean); Jensen (Alex); Johns; Kaiser; Killer; Klumb; Langer; Marty; May; McCleerey;  
5 Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Romkema; Russell;  
6 Schrempp; Sly; Solum; Stalzer; Tulson; Westra; Wiik; Wollmann; Speaker Wink

7 Excused:

8 Heinemann (Leslie); Schoenbeck; Verchio

9 So the bill not having received an affirmative vote of a majority of the members-elect, the  
10 Speaker declared the bill lost.

11 HB 1150: FOR AN ACT ENTITLED, An Act to provide for the annual adjustment of the  
12 salary of legislators.

13 Was read the second time.

14 The question being "Shall HB 1150 pass?"

15 And the roll being called:

16 Yeas 48, Nays 19, Excused 3, Absent 0

17 Yeas:

18 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Conzet; Craig; Cronin; Dryden; Gosch;  
19 Greenfield (Lana); Haggard (Don); Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunt;  
20 Jensen (Alex); Killer; Kirschman; Klumb; Langer; Mickelson; Munsterman; Novstrup (Al);  
21 Otten (Herman); Partridge; Rasmussen; Ring; Romkema; Rozum; Schaefer; Sly; Soli; Solum;  
22 Stalzer; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker  
23 Wink

24 Nays:

25 Campbell; Deutsch; DiSanto; Duvall; Feickert; Gibson; Hunhoff (Jean); Johns; Kaiser;  
26 Latterell; Marty; May; McCleerey; Peterson (Kent); Qualm; Rounds; Russell; Schoenfish;  
27 Schrempp

28 Excused:

29 Heinemann (Leslie); Schoenbeck; Verchio

30 So the bill having received an affirmative vote of a two-thirds majority of the members-  
31 elect, the Speaker declared the bill passed and the title was agreed to.

32 Speaker Pro tempore Mickelson now presiding.

1 HB 1101: FOR AN ACT ENTITLED, An Act to ensure local control over curriculum and  
2 methods of instruction.

3 Was read the second time.

4 The question being "Shall HB 1101 pass?"

5 And the roll being called:

6 Yeas 58, Nays 8, Excused 4, Absent 0

7 Yeas:

8 Bartling; Beal; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin; Deutsch; DiSanto;  
9 Dryden; Duvall; Feickert; Gibson; Gosch; Greenfield (Lana); Harrison; Hawks; Hawley;  
10 Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex); Johns; Killer; Kirschman; Klumb;  
11 Langer; Latterell; May; McCleerey; Mickelson; Munsterman; Novstrup (Al); Otten (Herman);  
12 Partridge; Peterson (Kent); Qualm; Ring; Romkema; Rounds; Rozum; Russell; Schoenfish;  
13 Schrempp; Sly; Soli; Solum; Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann;  
14 Zikmund; Speaker Wink

15 Nays:

16 Anderson; Bolin; Haggard (Don); Haugaard; Kaiser; Marty; Rasmussen; Stalzer

17 Excused:

18 Heinemann (Leslie); Schaefer; Schoenbeck; Verchio

19 So the bill having received an affirmative vote of a majority of the members-elect, the  
20 Speaker declared the bill passed and the title was agreed to.

21 HB 1128: FOR AN ACT ENTITLED, An Act to protect certain homestead exemption  
22 interests during sale of homestead or separation of owners.

23 Was read the second time.

24 Rep. Gosch moved that HB 1128 be deferred to Friday, February 6, the 17<sup>th</sup> legislative day.

25 Which motion prevailed.

26 HB 1134: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the  
27 expungement of arrest records.

28 Was read the second time.

29 The question being "Shall HB 1134 pass?"

1 And the roll being called:

2 Yeas 64, Nays 2, Excused 4, Absent 0

3 Yeas:

4 Anderson; Bartling; Beal; Bolin; Bordeaux; Brunner; Campbell; Conzet; Craig; Cronin;  
5 Deutsch; DiSanto; Dryden; Duvall; Feickert; Gosch; Greenfield (Lana); Haggar (Don);  
6 Harrison; Haugaard; Hawks; Hawley; Hickey; Holmes; Hunhoff (Jean); Hunt; Jensen (Alex);  
7 Johns; Kaiser; Kirschman; Klumb; Langer; Latterell; Marty; May; McCleerey; Mickelson;  
8 Munsterman; Novstrup (Al); Otten (Herman); Partridge; Peterson (Kent); Qualm; Rasmussen;  
9 Ring; Romkema; Rounds; Rozum; Russell; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer;  
10 Stevens; Tulson; Werner; Westra; Wiik; Willadsen; Wollmann; Zikmund; Speaker Wink

11 Nays:

12 Gibson; Killer

13 Excused:

14 Heinemann (Leslie); Schaefer; Schoenbeck; Verchio

15 So the bill having received an affirmative vote of a majority of the members-elect, the  
16 Speaker declared the bill passed and the title was agreed to.

## 17 **SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS**

18 Rep. Gosch moved that SB 61, 34, 14, 15, and 18 be deferred to Friday, February 6, the  
19 17<sup>th</sup> legislative day.

20 Which motion prevailed.

21 There being no objection, the House reverted to Order of Business No. 5.

## 22 **REPORTS OF STANDING COMMITTEES**

23 MR. SPEAKER:

24 The Committee on Legislative Procedure respectfully reports that HB 1024, 1025, 1028,  
25 and 1036 were delivered to his Excellency, the Governor, for his approval at 10:06 a.m.,  
26 February 5, 2015.



1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
3 and Enrolling has carefully compared HB 1014, 1061, 1062, and 1065 and finds the same  
4 correctly enrolled.

5 Respectfully submitted,  
6 Dean Wink, Chair

7 Speaker Wink now presiding.

8 **SIGNING OF BILLS**

9 The Speaker publicly read the title to

10 HB 1014: FOR AN ACT ENTITLED, An Act to repeal certain obsolete and unnecessary  
11 statutes relating to the Department of Environment and Natural Resources.

12 HB 1061: FOR AN ACT ENTITLED, An Act to repeal an outdated and obsolete provision  
13 related to transferring cases from inferior courts to circuit courts.

14 HB 1062: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to jury  
15 selection.

16 HB 1065: FOR AN ACT ENTITLED, An Act to revise certain provisions related to voting  
17 trusts and agreements.

18 SB 23: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the  
19 ownership and management of the South Dakota Art Museum.

20 SB 36: FOR AN ACT ENTITLED, An Act to repeal certain outdated and unnecessary  
21 statutes and to update certain references related to the Department of Tourism.  
22 (Journal correction: See front page of the nineteenth day of the House Journal.)

23 And signed the same in the presence of the House.

24 **COMMEMORATIONS**

25 HC 1011 Introduced by: Representative Werner and Senator White

26 A LEGISLATIVE COMMEMORATION, Congratulating and commending the 2014 James  
27 Valley Christian High School Boys Basketball Team for the school's first State Class B  
28 Boys' Basketball Championship.

1 WHEREAS, the James Valley Christian Vikings overall season record was twenty-five wins  
2 and one loss for the 2013-2014 season and the Vikings defeated the Platte-Geddes High School  
3 boys team in the State B Championship game by the score of sixty-seven to fifty-four; and

4 WHEREAS, the members of the James Valley Christian State B Boys Championship Team  
5 were Jonathon Blom, Cole Glanzer, Caleb Hofer, Kellen Hood, Ben Loewen, Michael Mendel,  
6 Daniel Stahl, Andrew Ulvestad, Tim Wager, Alex Waldner, Jayden Waldner, Nathan Wedel,  
7 and Tristan Wieting; and

8 WHEREAS, the team was led by head coach Darwin Hofer; assistant coaches Anthony Lind  
9 and Al Wager; student managers Noah Hofer, Zachary Hofer, Karlus Waldner, and Jacob  
10 Williams; statisticians Ryan Wagner and Michael Waldner; and cheerleaders Allison Blom,  
11 Jessica Boltz, Gracelyn Fast, Amanda Halsey, Madison Johnson, Lauren Rink, Sadie Merchant,  
12 Tory Reinders, Allison Waldner, and MiKayla Williams; and

13 WHEREAS, head coach Darwin Hofer was named the Region 3 Coach of the Year; and

14 WHEREAS, multiple individuals on the State B Championship team won awards for their  
15 accomplishments, including State B Boys All-Tournament team Nathan Wedel, Andrew  
16 Ulvestad, and Alex Waldner; All State Class B First Team Nathan Wedel and Second Team  
17 Andrew Ulvestad; Class B Player of the Year Nathan Wedel; 281 All Conference First Team  
18 Nathan Wedel and Andrew Ulvestad and Second Team Alex Waldner and Honorable Mention  
19 Tim Wagner; 281 Conference MVP, Nathan Wedel; and Argus Leader's First Five Team for the  
20 2013-2014 Season, Nathan Wedel:

21 NOW, THEREFORE, BE IT COMMEMORATED, by the Ninetieth Legislature of the State  
22 of South Dakota, that the South Dakota Legislature commends the James Valley Christian  
23 Vikings Boys Basketball Team for their 2014 State B Championship.

24 Rep. Anderson moved that the House do now adjourn, which motion prevailed and at  
25 4:12 p.m. the House adjourned.

26 Arlene Kvislen, Chief Clerk